Attorney Docket No. 5051.338CT Application No. 09/963,340 Page 2 of 6

BEST AVAILABLE COPY

IN THE CLAIMS

Please amend the claims as follows. This listing of claims replaces all prior versions. This listing of claims replaces all prior versions.

- 1. (Currently Amended) An isolated DNA molecule comprising a sequence selected from the greep consisting of:
- (a) SEQ ID NO:1;
- (b) DNA sequences which encode an enzyme having SEQ ID NO:2;
- (c) DNA sequences which nucleic acid that hybridizes to isolated DNA of (a) or (b) above and which encode a quinolate phosphoribosyl transferase enzyme; and
- (d) DNA sequences which differ from the DNA of (a), (b) or (c) above due to the degeneracy of the genetic code. SEQ ID NO:1 or a complement thereof under a wash stringency of 0.3M NaCl, 0.03M sodium citrate, and 0.1% SDS at 60° to 70°C, wherein said nucleic acid is greater than or equal to 30 consecutive nucleotides of SEQ ID NO:1.
- 2. (Currently Amended) A DNA <u>nucleic acid</u> construct comprising an expression cassette, which construct comprises, in the 5' to 3' direction, a promoter operable in a plant cell and a <u>DNA nucleic acid segment</u> according to claim 1 positioned downstream from said promoter and operatively associated therewith.
- 3. (Currently Amended) A DNA nucleic acid construct comprising an expression cassette, which construct comprises, in the 5' to 3' direction, a plant promoter and a DNA nucleic acid segment according to claim 1 positioned downstream from said promoter and operatively associated therewith, said DNA nucleic acid segment in antisense orientation.
- 4-11. (Canceled).
- 12. (Currently Amended) A plant cell containing comprising a DNA nucleic acid construct according to claim 2, 3, 4 or 5 or 3.
- 13. (Original) A transgenic tobacco plant comprising the plant cell of claim 12.
- 14-15. (Canceled)
- 16. (Currently Amended) A method of making a transgenic tobacco plant cell having with reduced quinolate phosphoribosyl transferase (QPRTase) expression, said method comprising: providing a tobacco plant cell; of a type known to express quinolate phosphoribosyl transferase; providing an exogenous DNA construct, which construct comprises, in the 5' to 3' direction, a promoter operable in a plant cell and DNA comprising a portion of a sequence encoding quinolate phosphoribosyl transferase mRNA, said DNA operably associated with said promoter the nucleic acid construct of Claim 2; and
- transforming said plant cell with said DNA construct to transferring said nucleic acid construct to said tobacco plant cell so as to produce a transformed tobacco plant cells, said plant cell having with reduced expression of QPRTase as compared to an untransformed tobacco plant cell.
- 17. (Currently Amended) The method of claim 16, wherein said DNA nucleic acid comprising a portion of a sequence encoding quinolate phosphoribosyl transferase mRNA is in antisense

Attorney Docket No. 5051,338CT Application No. 09/963,340 Page 3 of 6

BEST AVAILABLE COPY

NO. 1662 P. 4/7

orientation.

3.0

Physical Sp

- 18. (Currently Amended) The method of claim 16, wherein said DNA nucleic acid comprising in the compression in the portion of a sequence encoding quincilate phosphoribosyl transferase mRNA is in sense orientation.
- 19. (Currently Amended) The method of claim 16, wherein said tobacco plant cell is Nicotiana at a some second and the sound of the second of t tabacum a Burley variety.

20-25. (Canceled).

26. (Currently Amended) A method of producing transgenic tobacco seeds, comprising collecting seed from a the transgenic tobacco plant produced by the method of claim 32 13 or 31 or a progeny thereof.

27-30. (Canceled).

31. (Currently Amended) A reduced nicotine transgenic tobacco plant of the species Nicotiana having reduced quinelate phospheribosyl transferase (QPRTase) expression relative to a nontransformed control plant, said transgenic plant comprising transgenic plant colls containing

an exogenous DNA nucleic acid construct comprising, in the 5' to 3' direction, a promoter operable in said plant cell and DNA a nucleic acid comprising a segment of a DNA sequence that encodes a plant quine late phospheribosyl transferese mRNA, said DNA-that hybridizes to SEO ID NO:1 under a wash stringency of 0.3M NaCl, 0.03M sodium citrate, and 0.1% SDS at 60° to 70°C and operably associated with said promoter:

wherein said tobacco plant exhibiting reduced QPRTase expression has a reduced amount of nicotine as compared to a non-transformed control plant.

- 32. (Currently Amended) The method of claim 31, wherein said segment of DNA nucleic acid construct comprising comprises a segment of a DNA nucleic acid sequence encoding quinolate phosphoribosyl transferuse mRNA that hybridizes to SEQ ID NO:1 and said nucleic acid is in antisense orientation.
- 33. (Currently Amended) The method of claim 31, wherein said -segment of DNA comprising nucleic acid construct comprises a segment of a DNA nucleic acid sequence encoding quinolate phosphoribosyl transferase mRNA that hybridizes to SEQ ID NO:1 and said nucleic acid is in sense orientation.

34-42. (Canceled),

- 43. (Currently Amended) A transgenie plant of the species Nicotiana having reduced quinolate phosphoribosyl transferase (QPRTase) expression relative to a non-transformed control plant, wherein said transgenie plant is a progeny of a plant according to claim 13 or 31.
- 44. (Currently Amended) Seeds of a transgenie A seed of a tobacco plant of the species Nicotiana having reduced quinolate phosphoribosyl transferase (QPRTase) expression relative to a nontransformed control plant, wherein said transgenic plant is a plant according to claim 13, 31 or 43, or a progeny thereof.

Attorney Docket No. 5051.338CT Application No. 09/963,340 Page 4 of 6

BEST AVAILABLE COPY

45. (Currently Amended) A crop comprising a plurality of plants according to claim 13, 31 or 43. or a progeny thereof, planted together in an agricultural field.

46-56, (Canceled).

All Same

57. (Currently Amended) A method of producing a <u>reduced nicotine</u> tobacco plant having decreased levels of nicotine in leaves of said tobacco plant, said method comprising:

growing a tobacco plant, or progeny plants thereof, wherein said plant comprises cells containing a DNA construct comprising a transcriptional initiation region functional in said plant and an exogenous DNA sequence operably joined to said transcriptional initiation region, wherein a transcribed strand of said DNA sequence is complementary to endogenous quinolate phosphoribosyl transferase messenger RNA in said cells

providing a tobacco plant cell:

providing the isolated nucleic acid of claim 1;

transferring the isolated nucleic acid of claim 1 to said tobacco plant cell so as to obtain a transformed tobacco plant cell, wherein said transformed tobacco plant cell has a reduced expression of a quinolate phosphoribosyl transferase gene as compared to a non-transformed tobacco plant cell; and

regenerating the transformed tobacco plant cell into a reduced nicotine tobacco plant.

58-60. (Canceled).

- 61. (Currently Amended) The method according to claim 57, wherein said exogenous DNA isolated nucleic acid sequence comprises the quinolate phosphoribosyl transferase encoding sequence of SEQ ID NO:1 of claim 1 is in antisense orientation.
- 62. (Currently Amended) The method according to claim 57, wherein said exegenous DNA isolated nucleic acid sequence comprises a quinolate phosphoribosyl transforase encoding sequence selected from the DNA sequences of claim 1, in antisense orientation is in sense orientation.

63-93. (Canceled).

- 94. (New) An isolated nucleic acid comprising at least about 30 consecutive nucleotides of the nucleotide sequence of SEQ ID NO:1.
- 95. (New) The nucleic acid of claim 94, comprising at least about 50 consecutive nucleotides of the nucleotide sequence of SEQ ID NO:1.
- 96. (New) The nucleic acid of claim 94, comprising at least about 75 consecutive nucleotides of the nucleotide sequence of SEQ ID NO:1.
- 97. (New) The nucleic acid of claim 94, comprising at least about 100 consecutive nucleotides of the nucleotide sequence of SEQ ID NO:1.
- 98. (New) The nucleic acid of claim 94, comprising at least about 125 consecutive nucleotides of the nucleotide sequence of SEO ID NO:1.

Attorney Docket No. 5051.338CT Application No. 09/963,340 Page 5 of 6

BEST AVAILABLE COPY

- 99. (New) The nucleic acid of claim 94, comprising at least about 150 consecutive nucleotides of the nucleotide sequence of SEQ ID NO:1.
- 100. (New) The nucleic acid of claim 94, comprising at least about 200 consecutive nucleotides of the nucleotide sequence of SEQ ID NO:1.
- 101. (New) The nucleic acid of Claim 94, wherein the nucleic acid is in sense orientation.
- 102. (New) The nucleic acid of Claim 94, wherein the nucleic acid is in antisense orientation.
- 103. (New) The nucleic acid of Claim 94, wherein the nucleic acid is DNA.
- 104. (New) The nucleic acid of Claim 94, wherein the nucleic acid is RNA.
- 105. (New) A vector comprising the nucleic acid of Claim 94.
- 106. (New) An isolated cell comprising the vector of Claim 105.
- 107. (New) The nucleic acid of Claim 94, further comprising a detectable moiety.